

Applicant(s): OHTAKA et al.

Atty. Docket: 11-196

Serial No.: 10/673,338

Group Art Unit: 2632

Filed: September 30, 2003

Examiner: TBD

Title: PASSENGER DETECTING

APPARATUS FOR VEHICLE

Date: April 8, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop: Petition

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a)

Sir:

This petition is being filed pursuant to 37 C.F.R. §1.48(a) to correct the inventorship of the above-identified application.

In particular, pursuant to 37 C.F.R. 1.48(a)(1), it is submitted that the inventorship originally set forth in the executed declaration signed by claimed inventor Koji Ohtaka dated September 22, 2003 was incomplete, and that the addition of second inventor Satoshi Goshima is necessary in order to accurately reflect the inventorship of the subject matter being claimed.

The error in inventorship occurred without deceptive intent by Mr. Goshima. A Statement Under Rule 1.48(a)(2) executed by Mr. Goshima that evidences his lack of deceptive intent in being initially omitted as a named inventor, as well as a Supplemental Declaration executed by both inventors pursuant to 37 C.F.R. 1.48(a)(3), are included with this Petition.

In addition, pursuant to 37 C.F.R. 1.48(a)(5), a Statement Under 37 CFR 3.73(b), in which DENSO Corporation (the original assignee of all rights in the present application in an original assignment executed by Mr. Ohtaka, a copy of which is attached to the Statement) consents to the addition of Mr. Goshima as an inventor in the above application, is attached.

04/09/2004 ZJUHAR1 00000061 10673338

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Application No.: 10/673,338 Atty. Docket No.: 11-196

Pursuant to 37 C.F.R. 1.48(a)(4), the required fee of \$130.00 as set forth in 37 C.F.R. \$1.17(i) is enclosed herewith by check. Any further charges may be charged to Deposit Account 50-1147.

Respectfully submitted,

David G. Posz Reg. No. 37,701

Customer No. 23400

DGP/TMA/yf

Posz & Bethards, PLC 11250 Roger Bacon Drive Suite 10 Reston, VA 20190 (703) 707-9110



Posz & Bethards, PLC

Supplemental Declaration and Power of Attorney for Patent Application 特許出願宣哲事及び委任状 Japanese Language Declaration 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、郵便住所、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して特許請求の範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者(下記の氏名が一つの場合)もしくは最初かつ共同発明者であると(下記の名称が複数の場合)信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PASSENGER DETECTING APPARATUS FOR VEHICLE

上記発明の明細書(下記の欄で×印がついていない場合は、本書に添付)は、	the specification of which is attached hereto unless the following box is checked:
口	was filed on <u>September 30, 2003</u> as United States Application Number or PCT International Application Number <u>10/673, 338</u> and was amended on
私は、特許請求範囲を含む上記補正後の明細書を検討し、 内容を理解していることをここに表明します。	I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1.56項に規定されるとおり、特許性の有無について重要な情報を開示する義務があることを認めます。

私は、以下に記載する特許もしくは発明者証の外国出願について米国法典第35編119条(a)-(d)項又は365条(b)項に基づく外国優先権を、又は以下に記載する米国以外の国の少なくとも一ヵ国を指定しているPCT国際出願について米国法典第35編365(a)項に基づく外国優先権をここに主張するとともに、優先権を主張している本出願の前に出願された特許もしくは発明者証の外国出願又はPCT国際出願を、枠内をマークすることで以下に示します。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Japanese Language Declaration (日本語宣言書)

Prior Foreign Application(s) Priority Not Claimed 外国での先行出願 (優先権主張なし) 2002-289722 1. JAPAN 02/0CT0BER/2002 (Number) (Country) (国名) (Day/Month/Year Filed) (出願年月日) (番号) 2. (Number) (番号) (Country) (国名) (Day/Month/Year Filed) (出願年月日) 3. (Number) (番号) (Country) (国名) (Day/Month/Year Filed) (出願年月日) 4. (Number) (Country) (国名) (Day/Month/Year Filed) (出願年月日) (番号) 5. (出願年月日) (Number) (番号) (Country) (国名) (Day/Month/Year Filed) 6. (Number) (番号) (Country) (国名) (Day/Month/Year Filed) (出願年月日) 7. (Number) (番号) (Country) (国名) (Day/Month/Year Filed) (出願年月日) ☐ Additional Foreign Application(s) is(are) listed on the attached sheet which is incorporated herein by reference. I hereby claim the benefit under Title 35. United 私は、下記の米国仮特許出願について第35編米国法典1 States Code, Section 119(e) of any United States 19条(e)項に基づく権利をここに主張いたします。 provisional application(s) listed below. (Application No.) (Filing Date) (Application No.) (Filing Date) (出願番号) (出願日) (出願番号) (出願日) I hereby claim the benefit under Title 35. United 私は、下記の米国特許出願について米国法典第35編12 States Code, Section 120 of any United States O条に基づく権利、又は米国を指定している下記の PCT 国 application(s), or 365(c) of any PCT International application designating the United States, listed 際出願について米国法典第35編365条(c)に基づく権 below and, insofar as the subject matter of each of 利をここに主張します。 また、本出願の各請求範囲の内容 the claims of this application is not disclosed in the が米国法典第35編112条第1段で規定された方法で先 prior United States or PCT International application 行する米国特許出願又は PCT 国際出願に開示されていない in the manner provided by the first paragraph of Title 限り、その先行出願の出願日以降で当該国内出願又は PCT 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to 国際出願の出願日までの期間中に入手された、連邦規則法 patentability as defined in Title 37, Code of Federal 典第37編1.56項で定義された特許性の有無に関する Regulations, Section 1.56 which became available 重要な情報について開示義務があることを認識していま between the filing date of the prior application and す。 the national or PCT International filing date of application.

Filing Date

(出願日)

Application No.

(出願番号)

Status :

(現況)

Patented.

(特許許可済)、

Pending,

(係属中)、

Abandoned

(放棄済)

Japanese Language Declaration (日本語宣言書)

私は、私自身の知識に基いて本宣言書中で私が行う表明が真実であり、かつ私の入手した情報と私の信じるところに基く表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基き、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

委任状: 私は下記の発明者として、本出願に関する一切 の手続を米特許商標局に対して遂行する弁理士または代理 人として、下記の者を指名いたします。(弁護士、または代 理人の氏名及び登録番号を明記のこと) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

David G. Posz, Reg. No. 37701, Charles W. Bethards, Reg. No. 36453, R. Louis Breeden, Reg. No. 37286, James E. Barlow, Reg. No. 32377, Brian C. Altmiller, Reg. No. 37,271, Robert L. Scott, Reg. No. 43102, Teresa M. Arroyo, Reg. No. 50015 and all other attorneys and/or agents associated with PTO Customer No. 23400.

書類送付先: (Send Correspondence to)

David G. Posz, Esq., Posz & Bethards, PLC, 11250 Roger Bacon Drive, Suite 10, Reston, VA 20190, PTO Customer No. 23400

直接電話連絡先(名前及び電話番号): Direct Telephone Calls to (name and telephone number)
David G. Posz, Esq., (703) 707-9110

唯一または第一発明者(Full name of sole or first inventor)	: Koji Ohtaka
発明者の署名 (Inventor's Signature) Koji Ohtaloa	
日付 (Date): march, 10, 2004	
住所(Residence): Chiryu-shi, Aichi-ken, Jap	an
国籍 (Citizenship): Japan	
郵便住所 (Post Office Address): c/o DENSO CORPORATION	
1-1, Showa-cho, Kariya-cit	y, Aichi-pref., 448-8661 Japan

第二共同発明者(Full name of se	econd joint inventor): Satoshi Goshima
発明者の署名(Inventor's Signa <i>SatoSki (</i>	oture) Goshima
日付 (Date): March,	19, 2004
住所 (Residence):	Tokyo, Japan /
国籍 (Citizenship):	Japan
郵便住所(Post Office Address):	c/o Fuji Jukogyo Kabushiki Kaisha 7-2, Nishishinjuku 1-chome, Shinjuku-ku, Tokyo 160-8316 Japan

[☐] Additional Inventor(s) is (are) listed on the attached sheet which is incorporated herein by reference.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): OHTAKA et al.

Atty. Docket: 11-196

Serial No.: 10/673,338

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Filed: September 30, 2003

Examiner: TBD

Title: PASSENGER DETECTING

APPARATUS FOR VEHICLE

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.48(a)(2)

Sir:

I, Satoshi Goshima, hereby state that I was originally omitted as a named inventor in the above identified pending U.S. patent application, and that such error in inventorship occurred without deceptive intention on my part.

Date: March 19. 2004

ctoshi Groshima

DUPLICATE DUPLICATE

F- DTO 4505						
Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)	RM COVER SHEET U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office					
PATENT	S ONLY Attorney Docket No. 11-196					
To the honorable Commissioner of Patents and Trademarks:	Please record the attached original documents or copy thereof.					
Name of conveying party(ies):	Name and address of receiving party(ies)					
(1) Koji OHTAKA Additional name(s) of conveying party(ies) attached? Yes X No	Name: DENSO CORPORATION Street Address: 1-1, Showa-cho					
	<u>Kariya-city, Aichi-pref.</u> 448-8661 JAPAN					
3. Nature of conveyance: X Assignment Merger						
Security Agreement Change of Name						
Other						
Execution Date(s): (1) September 22, 2003	Additional name(s) & address(es) attached? Yes X No					
Application number(s) or patent number(s): If this document is being filed together with a new application, the	Month Day Year execution date of the application is: (1) 09 22 03					
A. Patent Application No.(s)	B. Patent No.(s)					
Additional numbers at	tached? Yes X No					
Name and address of party to whom correspondence concerning document should be mailed: Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and patents involved:					
Name: David G. Posz	7. Total foo (27 CED 2.44)					
Internal Address:	7. Total fee (37 CFR 3.41)\$ 40					
Street Address: Posz & Bethards, PLC 11250 Roger Bacon Drive, Suite 10	X Enclosed X Authorized to be charged to deposit account					
City: Reston State: VA Zip: 20190	8. Deposit account number:					
	(Attach duplicate copy of this page if paying by deposit account)					
	E THIS SPACE					
9. Statement and signature.						
To the best of my knowledge and belief, the foregoing in is a true copy of the original document.	formation is true and correct and any attached copy					
David G. Posz (Reg. No. 37,701) Name of Person Signing Signatu						
Total number of pages including cover sheet,	attachments, and documents: 2					

Attorney Docket No.

	ASSIGNMENT	
For good and valuable consider undersigned hereby agree(s) to as	ation, the receipt of which is he ssign, and hereby sell(s), assign(s)	reby expressly acknowledged, the and transfer(s) to
DENSO CORPORATION		
of 1-1, Showa-cho, Kariya-	city, Aichi-pref. 448-8661 Japan	
	all foreign countries, to certain inve	the entire right, title and interest, in ntions known as
described in an application for Lett	ters Patent of the United States exe	ecuted
(A) X on even date herewith		
(B) x on September 22, 20	003	
(C) as U.S. Application Ser	ial No filed on	
Letters Patent, and all Letters authorize(s) and request(s) the U Letters Patent to said Assignee.	Patent that may be granted the nited States Commissioner of Patents	nd reissues of said application for erefor. The undersigned hereby ents and Trademarks to issue said
		e all rightful oaths, and perform all for said inventions and for vesting
of priority provided by the Interna	itional Convention for the Protection orth substituted therefor, as may be	ke and claim the benefit of the right on of Industrial Property, or by any e necessary in connection with said
The undersigned also authorize(s) may be necessary or desirable for		ereon any further identification that
Koji Ohraka	September 22, 2003	Shinichi Kiribayashi
Inventor 1: Koji Ohtaka	Date	Witness
Inventor 2:	Date	Witness
Inventor 3:	Date	Witness
Inventor 4:	Date	Witness
Inventor 5:	Date	Witness

Continued on page 2 for additional inventors



Based on PTO/SB/96(08-00)

	STATEMENT UNDE	ER 37 CRF 3.73	<u>(b)</u>							
Applicant/Patent Owner:	DENSO CORPORATIO	N								
Application No./Patent N	o. 10/673,338	Filed/Issue Date:	September 30, 2003							
Entitled: PASSENGER DETECTING APPARATUS FOR VEHICLE										
		••••								
DENSO CORP	ORATION , a	Corporation	tnership, university, government agency, etc.)							
states that it is:	Assignee) (Type o	r Assignee, e.g., corporation, par	thersnip, university, government agency, etc.)							
1. X the assignee	of the entire right, title, and inte	rest; or								
2. an assignee	of less than the entire right, title	and interest.								
The extent (b	y, percentage) of its ownership	interest is %	6							
in the patent application/p	atent identified above by virtue	of either:								
A. [X] An assignme	nt from the inventor(s) of the pa	tent application/patent id	dentified above. The assignment							
was recorded	I in the United States Patent and	d Trademark Office at R	eel ,							
	, or for which a copy t	hereof is attached.								
OR										
	e from the inventor(s), of the pa shown below:	tent application/patent id	dentified above, to the current							
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[] Additional do	cuments in the chain of title are	listed on a supplementa	al sheet.							
[NOTE: A separate must be submitted	ents or other documents in the ch copy (i.e., the original assignmen to Assignment Division in accord ords of the USPTO. See MPEP 3	nt document or a true cop ance with 37 CFR Part 3,								
	e title is supplied below) is au e assignee to the addition of l cation.									
March 9,2	004		Hirohiko Usui							
Date) <i>T</i>	ped or printed/name							
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		General Mana	ger, Intellectual Property Dept.							
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						This Form Based on PTO/SB/21			
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į.	E	ORM		Filing Date	September 30, 2003				
(to b	e use (o) a ll ce	rrespondence after ini	tial filing)	First Named Inventor	OHTAKA				
		2006		Group Art Unit	2632				
	APR 0 8	THIC JULY		Examiner Name					
	PIFAT INA	MARIT		Attorney Docket Number	11-19	6			
	Q THA								
			ENCLOS	URES (check all that apply)					
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•	After F	inal	Pet and	tition Routing Slip (PTO/SB/69) d Accompanying Petition		Proprietary Information			
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	Extension of	Time Request	Cha	wer of Attorney, Revocation ange of Correspondence dress	\boxtimes	Additional Enclosure(s) (please identify below):			
	Express Abar Request	ndonment		rminal Disclaimer		Petition to Correct Inventorship under 37 CFR 1.48(a)			
	Information D Statement	isclosure	Sm	nall Entity Statement		Supplemental Declaration			
	Certified Copy Document(s)	y of Priority	. Re	equest of Refund		Statement under 37 CFR 1.48(a)(2)			
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	-	SIGNAT	URE OF A	APPLICANT, ATTORNEY, OR	AGEN	Т			
Firm or	-	Posz & Bethard		,	 1.1.				
	dual name	David G. Posz,	Reg. No.	37,701					
Signa	ture		•	<u>→</u>					

Date

April 8, 2004

						Complete if Known	орасуо и	Valid OlVID CO	na or mar	
FEE TRANSMITTAL		Applie	cation N	Number		10/673,338				
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		Exam	niner Na	ame		<u></u>	7		-€/	
Effective 10/01/2003. Patent fees are subject to annual revision.	0.7	Art U	nit			2632	AP	R 0 8 200	4 8	
Applicant Claims small entity status. See 37 CFR 1 TOTAL AMOUNT OF PAYMENT (\$) 130	.27	Attor	nev Dov	ket No.		11-196	2		- <u>E</u>)	
TOTAL ANICONT OF PATIMENT (\$) 130		7 (10)	icy Do	JACET VO.		11 100			\$2 7	
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The Commissioner is authorized to: (check all that apply) Charge fee(s) indicated below X Credit any overpayments	1812	2,520	1812	2,520		nglish specification ng a request for <i>ex parte</i> reexam	nination		_	
X Charge any additional fee(s) during the pendency of this application	1804	920*	1804	920*	Reque	sting publication of SIR prior to	iii dadon		_	
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FEE CALCULATION	1251	110	2251	55	Extens	ion for reply within first month				
1. BASIC FILING FEE	1252	420	2252	210	Extens	ion for reply within second mon	ith			
Large Entity Small Entity	1253	950	2253	475	Extens	ion for reply within third month				
Fee Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extens	ion for reply within fourth month	ו			
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1005		ion for reply within fifth month				
1002 340 2002 170 Design filing fee	1401	330	2401	165		of Appeal				
1003 530 2003 265 Plant filing fee	1402	330	2402	165	_	a brief in support of an appeal			_	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145		st for oral hearing			_	
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SUBTOTAL (1) (\$)	1452	1,330	2452	665		n to revive – unavoidable		-	_	
SUBTOTAL (1) (\$) 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501	665		ssue fee (or reissue)		<u> </u>	-	
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Fee Code	Fee (\$)	Fee Cod	Fee (\$)	— <u>E</u>	ee C	escription	2		8021	40	8021	40	Recording each patent assignment per property (times number of properties)]
1202	18	2202	9	Cla	Claims in excess of 20					770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))			
1201	86	2201	43	Ind	Independent claims in excess of 3				1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))			
1203	290	2203	145	Mul	Multiple dependent claim, if not paid				1801	770	2801	385	Request for Continued Examination (RCE)) []
1204	86	2204	43			ue indeper original pat		claims	1802	900	1802	900	Request for expedited examination of a design application			
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** or number previously paid, if greater; For Reissues, see above					*Reduced	d by Bas	ic Filing F	ee Paid	SUBTOTAL (3)	(\$) 130		l				

SUBMITTED BY Complete (if applicable) Registration No. Name (Print/Type) Telephone (703) 707-9110 **DAVID G. POSZ** 37,701 (Attorney/Agent) Signature April 8, 2004 Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.